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ENCLOSURES *(check all that apply)*

☐ Fee Transmittal Form ☐ Fee Attached ☐ Amendment/Reply ☐ After Final ☐ Affidavits /Declarations ☐ Extension of Time Request ☐ Express Abandonment Request ☐ Information Disclosure Statement; ___ references ☐ Certified Copy of Priority Document(s) ☐ Response to Missing Parts/Incomplete Application ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53	☐ Assignment Papers (for an application) ☐ Formal Drawings: ___ sheets ☐ Licensing-related papers ☐ Petition: _____ ☐ Petition to Convert to a Provisional Application ☐ Power of Attorney, Revocation, and/or Change of Correspondence Address ☐ Terminal Disclaimer ☐ Request for Refund ☐ CD, Number of CD(s) __ ☐ After Allowance Communication to Group	☐ Certificate of Correction of Applicant's Mistake (37 CFR 1.323) ☐ Certificate of Correction of Office Mistake (37 CFR 1.322) ☒ Appeal Communication to Group *(Appeal Notice, Brief, Reply Brief)* ☐ Proprietary Information ☐ Status Letter ☐ Appeal Communication to Board of Appeals and Interferences ☐ Fee Address Indication Form ☐ Other Enclosure(s) *(please identify below)*

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Amended Appeal Brief

In re the Application of:

Rabindranath Dutta
Serial No. 09/522,201
Filed: March 9, 2000
Attorney Docket No. AUS990858US1

METHOD, SYSTEM, AND PROGRAM FOR DISPLAYING PAGES DOWNLOADED FROM OVER A NETWORK IN AN APPLICATION WINDOW

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I. Real Party in Interest

The entire right, title and interest in this patent application is assigned to real party in interest International Business Machines Corporation.

II. Related Appeals, Interferences, and Judicial Proceedings

An Appeal Brief was filed for Application Serial No. 09/522,201 on September 19, 2004. A new Office Action was mailed on April 20, 2005, which reopened prosecution.

Appellant, Appellant's legal representative, and Assignee are not aware of any other prior or pending appeals, interferences, and judicial proceedings which may be related to, directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

III. Status of Claims

Claims 1-27 are pending and have been rejected.

The final rejection of the claims is being appealed for all pending claims 1-27.

IV. Status of Amendments

No amendments were filed after receipt of a Final Rejection.

V. Summary of Claimed Subject Matter

The presently claimed invention is directed to a method for displaying pages in a viewer program on a computer display monitor, wherein the viewer program displays an application window. (e.g., Specification, page 6, line 20 - page 7, line 8; page 7, lines 24-27; page 8, lines

21-23; page 12, lines 20-21; FIGs. 3-7) First and second pages from one of multiple servers are downloaded over a network. (e.g., Specification, page 6, lines 21-27; page 7, lines 5-13; page 7, line 25 - page 8, line 9; page 8, line 23 - page 9, line 15; FIGs. 4-7) Automatically concurrently the first page is displayed in a first window pane and the second page is displayed in a second window pane in the application window according to predefined settings specifying how pages are to be displayed in the first and second panes. (e.g., Specification, page 5, lines 18-20; page 7, lines 5-13; page 7, line 25 - page 8, line 9; page 8, line 23 - page 9, line 15; page 10, lines 4-9; FIGs. 4-7) A third page is downloaded from one of multiple servers over the network. (e.g., page 6, lines 21-27; Specification, page 7, lines 13-17; page 8, lines 3-9; page 8, line 23 - page 9, line 15; FIGs. 4-7) Automatically concurrently the third page is displayed in one of the first and second panes and one of the first and second pages is displayed in the other pane according to the predefined settings. (e.g., page 5, lines 18-20; Specification, page 7, lines 13-17; p page 8, lines 3-9; page 8, line 23 - page 9, line 15; age 10, lines 4-9; FIGs. 4-7) A fourth page is downloaded from one of multiple servers over the network. (e.g., Specification, page 6, lines 21-27; page 8, lines 3-9; page 8, line 23 - page 9, line 15; FIGs. 4-7) Automatically concurrently the third and fourth pages are displayed in the first and second panes according to the predefined settings. (e.g., Specification, page 5, lines 18-20; page 8, lines 3-9; page 8, line 23 - page 9, line 15; page 10, lines 4-9; FIGs. 4-7).

For example, as described in the specification in connection with one embodiment, a viewer program, such as a Web browser, displays an application window with two window panes. (e.g., Specification, page 7, lines 5-8; page 12, lines 20-21; FIG. 4) For example, in FIG. 4, a single application window 30 with a first window pane 32 and a second window pane 34 is illustrated. First and second pages from one of multiple servers are downloaded over a network.

(e.g., Specification, page 6, lines 21-24) Automatically concurrently the first page is displayed in a first window pane and the second page is displayed in a second window pane in the application window according to predefined settings specifying how pages are to be displayed in the first and second panes. (e.g., Specification, page 7, lines 8-10; FIG. 4) A third page is downloaded from one of multiple servers over the network, and, automatically concurrently the third page is displayed in one of the first and second panes and one of the first and second pages is displayed in the other pane according to the predefined settings. (e.g., Specification, page 7, lines 13-17, FIGs. 4-5) A fourth page is downloaded from one of multiple servers over the network. Automatically concurrently the third and fourth pages are displayed in the first and second panes according to the predefined settings. Thus, a single window contains two panes, each of which may display a different page.

In another aspect of the invention, the first pane is displayed adjacent and to the left of the second pane, wherein automatically concurrently displaying the third page and one of the first and second pages comprises concurrently displaying the second page in the first pane and the third page in the second pane. (e.g., Specification, page 7, lines 13-17; FIG. 5)

In yet another aspect of the invention, previously downloaded pages are cached in the order in which they were downloaded from the network. (e.g., Specification, page 7, line 27-page 8, line 5) A user input command to display a previously displayed page is received. (e.g., Specification, page 8, lines 10-14) Automatically concurrently the previously displayed page is displayed in the first pane and the first page is displayed in the second pane according to the predefined settings in response to the user input command to display the previously displayed page. (e.g., Specification, page 8, lines 14-20) In a further aspect of the invention, the first pane is displayed adjacent and to the left of the second pane. (e.g., FIGs. 4 and 5)

In yet a further aspect of the invention, previously downloaded pages are cached in the order in which they were downloaded from the network. (e.g., Specification, page 7, line 27-page 8, line 5) A user input command to display a subsequent page cached after the first and second pages were downloaded is received. Automatically concurrently the subsequent page is displayed in the second pane and the second page is displayed in the first pane according to predefined settings in response to the user input command to display the previously displayed page. (e.g., Specification, page 8, lines 14-20)

In another aspect of the invention, user selection of a hypertext link within one of the displayed pages is received. (e.g., Specification, page 8, lines 21-22) The page addressed by the hypertext link is accessed. (e.g., Specification, page 8, lines 24-25) Automatically concurrently the page currently displayed in the second pane is displayed in the first pane and the page addressed by the hypertext link is displayed in the second pane if the user selected the hypertext link from the second pane. (e.g., Specification, page 8, lines 26-29) Automatically concurrently the page currently displayed in the first pane is displayed in the first pane and the page addressed by the hypertext link is displayed in the second pane if the user selected the hypertext link from the first pane. (e.g., Specification, page 8, lines 29) In yet another aspect of the invention, the first pane is displayed adjacent and to the left of the second pane.(e.g., FIGs. 4 and 5)

In a further aspect of the invention, user selection of a hypertext link within one of the displayed pages in one of the panes is received. (e.g., Specification, page 8, lines 21-22) The page addressed by the hypertext link is accessed. (e.g., Specification, page 8, lines 24-25) Automatically concurrently the page addressed by the hypertext link is displayed in the pane opposite the pane displaying the page from which the hypertext link was selected. (e.g., Specification, page 9, lines 5-7)

In another aspect of the invention, the viewer program is capable of displaying the downloaded pages in the first and second panes according to the predefined settings when the pages downloaded from over the network do not include any page commands to cause the display of pages in separate panes within the application window. (e.g., Specification, page 9, line 26 -page 10, line 2)

In yet another aspect, the invention is directed to a system for displaying pages in a viewer program on a computer display monitor, wherein the viewer program displays an application window (e.g., Specification, page 6, line 20 - page 7, line 8; page 7, lines 24-27; page 8, lines 21-23; page 12, lines 20-21; FIGs. 3-7). The system includes means for downloading a first and second pages from one of multiple servers over a network. (e.g., Specification, page 6, lines 21-27; page 7, lines 5-13; page 7, line 25 - page 8, line 9; page 8, line 23 - page 9, line 15; FIGs. 4-7) The system also includes means for automatically concurrently displaying the first page in a first window pane and the second page in a second window pane in the application window according to predefined settings specifying how pages are to be displayed in the first and second panes. (e.g., Specification, page 5, lines 18-20; page 7, lines 5-13; page 7, line 25 - page 8, line 9; page 8, line 23 - page 9, line 15; page 10, lines 4-9; FIGs. 4-7) The system includes means for downloading a third page from one of multiple servers over the network. (e.g., page 6, lines 21-27; Specification, page 7, lines 13-17; page 8, lines 3-9; page 8, line 23 - page 9, line 15; FIGs. 4-7) The system includes means for automatically concurrently displaying the third page in one of the first and second panes and one of the first and second pages in the other pane according to the predefined settings. (e.g., page 5, lines 18-20; Specification, page 7, lines 13-17; p page 8, lines 3-9; page 8, line 23 - page 9, line 15; age 10, lines 4-9; FIGs. 4-7) The system further includes means for downloading a fourth page from one of multiple servers over the

network. (e.g., Specification, page 6, lines 21-27; page 8, lines 3-9; page 8, line 23 - page 9, line 15; FIGs. 4-7) The system includes means for automatically concurrently displaying the third and fourth pages in the first and second panes according to the predefined settings. (e.g., Specification, page 5, lines 18-20; page 8, lines 3-9; page 8, line 23 - page 9, line 15; page 10, lines 4-9; FIGs. 4-7).

In a further aspect, the invention is directed to an article of manufacture for use in displaying electronic pages in a viewer program application window on a computer display monitor (e.g., Specification, page 6, line 20 - page 7, line 8; page 7, lines 24-27; page 8, lines 21-23; page 12, lines 20-21; FIGs. 3-7), wherein the article of manufacture comprises at least one computer program that is capable of causing a computer to perform operations (e.g., Specification, page 11, lines 13-22). First and second pages from one of multiple servers are downloaded over a network. (e.g., Specification, page 6, lines 21-27; page 7, lines 5-13; page 7, line 25 - page 8, line 9; page 8, line 23 - page 9, line 15; FIGs. 4-7) Automatically concurrently the first page is displayed in a first window pane and the second page is displayed in a second window pane in the application window according to predefined settings specifying how pages are to be displayed in the first and second panes. (e.g., Specification, page 5, lines 18-20; page 7, lines 5-13; page 7, line 25 - page 8, line 9; page 8, line 23 - page 9, line 15; page 10, lines 4-9; FIGs. 4-7) A third page is downloaded from one of multiple servers over the network. (e.g., page 6, lines 21-27; Specification, page 7, lines 13-17; page 8, lines 3-9; page 8, line 23 - page 9, line 15; FIGs. 4-7) Automatically concurrently the third page is displayed in one of the first and second panes and one of the first and second pages is displayed in the other pane according to the predefined settings. (e.g., page 5, lines 18-20; Specification, page 7, lines 13-17; p page 8, lines 3-9; page 8, line 23 - page 9, line 15; age 10, lines 4-9; FIGs. 4-7) A fourth page is downloaded

from one of multiple servers over the network. (e.g., Specification, page 6, lines 21-27; page 8, lines 3-9; page 8, line 23 - page 9, line 15; FIGs. 4-7) Automatically concurrently the third and fourth pages are displayed in the first and second panes according to the predefined settings. (e.g., Specification, page 5, lines 18-20; page 8, lines 3-9; page 8, line 23 - page 9, line 15; page 10, lines 4-9; FIGs. 4-7).

VI. Grounds of Rejection to be Reviewed on Appeal

A concise statement listing each ground of rejection presented for review is as follows:

A. Ground of Rejection 1: The Obviousness Rejection Based on the Duperrouzel Patent

Claims 1-27 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Duperrouzel et al. (U.S. Patent No. 6,832,355).

VII. Argument

A. Ground of Rejection 1:The Obviousness Rejection Based on the Duperrouzel Patent

1. Claims 1-2, 10-11, and 19-20 are not Obvious over the Duperrouzel Patent.

As set forth above, claims 1, 10, and 19 are directed to a method, system, and article of manufacture for displaying pages in a viewer program on a computer display monitor, wherein the viewer program displays an application window. First and second pages from one of multiple servers are downloaded over a network. Automatically concurrently the first page is displayed in a first window pane and the second page is displayed in a second window pane in the application window according to predefined settings specifying how pages are to be displayed in the first and second panes. A third page is downloaded from one of multiple servers

over the network. Automatically concurrently the third page is displayed in one of the first and second panes and one of the first and second pages is displayed in the other pane according to the predefined settings. A fourth page is downloaded from one of multiple servers over the network. Automatically concurrently the third and fourth pages are displayed in the first and second panes according to the predefined settings. Thus, multiple pages are displayed in a non-overlapping manner within panes of a same application window. (e.g., Specification, page 10, line29-page 11, line 3).

The Duperrouzel patent describes a display system with display controls and a plurality of non-overlapping display areas, and each display area has independent display area controls and independently displays a web page (Abstract). The Duperrouzel patent includes a computer system configured to send requests for web pages and receive the web pages (Col. 2, lines 1-17; Col. 4, lines 20-28). Each display pane provides controls for a particular web page being displayed within the display pane (Col. 5, lines 1-7; FIG. 2). That is, each non-overlapping display area has *independent display of a web page* (Col. 2, lines 9-11). For example, controls for each display pane 212 in FIG. 2 affect only that display pane (Col. 6, lines 46-48).

With the Duperrouzel patent, an access control 234 of a display pane 212a, when selected, causes a pop-down list of URLs to be shown on the display 116, and a user can select the URL of a desired web page in a conventional fashion (Col. 6, lines 17-20). Also, a user may drag a web page description or title into one of the display panes, and, once a user releases the desired web page description or title into a display pane, the web page display system then automatically downloads the desired web page using the stored URL of the desired web page and displays the web page *on the display pane in which the title or description of the desired web page was dropped by the user* (Col. 11, lines 14-26). Moreover, a user may drag and drop a

URL that is displayed in one display pane 212 into another display pane 212 to select downloading of a web page that has a particular URL (Col. 11, lines 26-29). For example, a user can drag and drop a URL displayed in display pane 212a into display pane 212b, and this web page is downloaded into display pane 212b (Col. 11, lines 29-36). Thus, to display a web page in a particular display pane, the Duperrouzel patent describes that the user selects the URL of the web page to be displayed in the display pane from a pop-down list of URLs in that display pane or by dragging and dropping a URL into the display pane. Thus, the user selects the display pane into which a web page is downloaded (i.e., by selecting a URL in that display pane or dropping a URL in that display pane).

On the other hand, claim 1 describes that downloaded pages are displayed according to predefined settings specifying how pages are to be displayed *in the first and second panes*. That is, the predefined settings specify how pages are to be displayed in both the first and second panes. The predefined settings automatically provide what otherwise must be accomplished using input selections (e.g., Applicant's Specification, page 10, lines 2-9), such as the selection of a URL from a pop-down list of URLs *in a display pane into which* the web page addressed by the URL is to be downloaded in the Duperrouzel patent. The claimed predefined settings are not taught or suggested by the Duperrouzel patent. In addition, by requiring a user to select a URL from a pop-down list of URLs *in a display pane in which the downloaded page is to be displayed* or to drag and drop a URL *into the display pane into which a downloaded display page is to be displayed*, the Duperrouzel patent teaches away from the use of predefined settings specifying how pages are to be displayed in the first and second panes. That is, with the Duperrouzel patent, a user selects a particular display pane in which a web page is to be displayed. For example, a user can drag and drop a URL displayed in display pane 212a into display pane 212b

to select display pane 212b as the display pane in which the web page is to be displayed, and this web page is downloaded into display pane 212b (Col. 11, lines 29-36).

The Examiner appears to suggest that predefined settings specifying how pages are to be displayed in the first and second panes are taught by the Duperrouzel patent's description that "display panes 212a, 212b . . . is a display area that frames and provides controls for a particular web page being displayed with in the display pane 212" (Col. 5, lines 1-7). Applicant respectfully traverses. The Duperrouzel patent describes that a user may drag a web page description or title into one of the display panes, and, once a user releases the desired web page description or title into a display pane, the web page display system then automatically downloads the desired web page using the stored URL of the desired web page and displays the web page *on the display pane in which the title or description of the desired web page was dropped by the user* (Col. 11, lines 14-26). Moreover, a user may drag and drop a URL that is displayed in one display pane 212 into another display pane 212 to select downloading of a web page that has a particular URL (Col. 11, lines 26-29) *into that other display pane.* Thus, with the Duperrouzel patent, a user selects the display pane into which a web page is to be downloaded, and this teaches away from Applicant's predefined settings that specify how pages are to be displayed in the first and second panes. Moreover, the Duperrouzel patent describes that each non-overlapping display area has *independent display of a web page* (Col. 2, lines 9-11). For example, controls for each display pane 212 in FIG. 2 affect only that display pane (Col. 6, lines 46-48). Therefore, the controls do not specify how pages are to be displayed *in the first and second panes.* Also, the independent controls for each display pane of the Duperrouzel patent teach away from Applicant's predefined settings specifying how pages are to be displayed *in the first and second panes.*

Furthermore, the Examiner states that the Duperrouzel patent "does not specifically teach 'displaying the third page in one of the first and second panes and displaying the third and fourth pages in the first and second panes' ", but that it would have been obvious to have applied Duperrouzel's teachings to include this. Applicant respectfully traverses. The claimed invention displays the pages in the panes according to predefined settings specifying how pages are to be displayed in the first and second panes, which are not taught or suggested by the Duperrouzel patent. Instead, the Duperrouzel patent describes that a user may drag a web page description or title into one of the display panes, and, once a user releases the desired web page description or title into a display pane, the web page display system then automatically downloads the desired web page using the stored URL of the desired web page and displays the web page *on the display pane in which the title or description of the desired web page was dropped by the user* (Col. 11, lines 14-26) or that a user may drag and drop a URL that is displayed in one display pane 212 into another display pane 212 to select downloading of a web page that has a particular URL (Col. 11, lines 26-29). Thus, the Duperrouzel patent teaches away from the use of predefined settings specifying how pages are to be displayed in the first and second panes because a user selects a display pane into which a web page is to be downloaded (i.e., by selecting a URL in that display pane or dropping a URL in that display pane).

The Examiner states that because the Duperrouzel patent describes a two web page display with two display panes (Col. 9, lines 7-14 and FIG. 6), the Duperrouzel patent "suggests that when third and fourth web page[s] are downloaded, they will be simultaneously displayed in the first and second panes." Applicant respectfully traverses. With the claimed invention, the downloaded third and fourth pages are displayed in the first and second panes according to the predefined settings. The Duperrouzel patent does not teach or suggest the claimed predefined

settings. Also, to display the third and fourth pages, with the Duperrouzel patent, a user would have to select one of the display panes and a third web page to be downloaded into that display pane, and then the user would have to select the other display pane and a fourth web page to be downloaded into that other display pane, which teaches away from the claimed predefined settings specifying how pages are to be displayed in the first and second panes.

The law is well settled that a reference will not support a rejection based upon obviousness where the proposed modification to the reference contravenes the principle of operation of the device of the reference:

> If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims prima facie obvious. In re Ratti , 270 F.2d 810, 123 USPQ 349 (CCPA 1959)

The Examiner appears to be impermissibly modifying the Duperrouzel patent such that the user operated controls are treated as predefined settings. If the controls were predefined, then there would be no need for user operation. Therefore, such a modification of the Duperrouzel patent is impermissible.

Thus, claims 1, 10, and 19 are not taught or suggested by the Duperrouzel patent.

Claims 2, 11, and 20 are directed to displaying the first pane adjacent and to the left of the second pane, where automatically concurrently displaying the third page and one of the first and second pages comprises concurrently displaying the second page in the first pane and the third page in the second pane. That is, the first page is displayed in a first pane and the second page is displayed in a second pane (claims 1, 10, and 19). Then, when the third page is downloaded, the second page is displayed in the first pane (i.e, the second page is shifted from the second pane to

the first pane), and the third page is displayed in the second pane. The Examiner cites Col. 9, lines 7-14 and FIGs. 5 and 6 of the Duperrouzel patent as teaching this subject matter. Applicant respectfully traverses. The cited portion of the Duperrouzel patent describes a two web page display with two display panes. When a third page is downloaded, according to the Duperrouzel patent, if the user selected the second pane, the third page would be displayed in the second pane selected by a user. However, there is no teaching in the Duperrouzel patent of automatically shifting the second page initially displayed in that second pane into a first pane when the third page is downloaded.

Moreover, dependent claims 2, 11, and 20 incorporate the language of claims 1, 10, and 19 and add additional novel elements. Therefore, dependent claims 2, 11, and 20 are not taught or suggested by the Duperrouzel patent for at least the same reasons as were discussed with respect to claims 1, 10, and 19.

Accordingly, it is respectfully submitted that the rejection of claims 1-2, 10-11, and 19-20 as obvious over the Duperrouzel patent should be reversed.

2. Claims 3-5, 12-14, and 21-23 are not Obvious over the Duperrouzel Patent.

Claims 3, 12, and 21 are directed to caching previously downloaded pages in the order in which they were downloaded from the network. A user input command to display a previously displayed page is received. Automatically concurrently the previously displayed page is displayed in the first pane and the first page is displayed in the second pane according to the predefined settings in response to the user input command to display the previously displayed page. That is, the first page is initially displayed in the first pane (claims 1, 10, and 19). When

the user input command to display a previously displayed page is received, the first page is displayed in the second pane (instead of the first pane), and the previously displayed page is displayed in the first pane. The Examiner cites Col. 9, lines 7-14 and FIG. 6 as teaching automatically concurrently displaying the previously displayed page in the first pane and the first page in the second pane. Applicant respectfully traverses. The Duperrouzel patent displays a page in a pane selected by a user (e.g., if the user selected the first pane, the previously displayed page would be displayed in the first pane selected by a user), but there is no teaching of displaying the first page that was in the first pane in the second pane when the command to display a previously displayed page is received. The Examiner submits that Col. 2, lines 3-17 and Col. 5, lines 1-7 teach the claimed predefined settings. Applicant respectfully traverses. The Duperrouzel patent describes that each display area has independent display area controls and that each display pane is a display area that provides controls for a particular web page being displayed within the display pane. Such independent controls for each display pane teach away from Applicant's predefined settings specifying how pages are to be displayed *in the first and second panes.*

Claims 4, 13, and 22 describe that the first pane is displayed adjacent and to the left of the second pane. Dependent claims 4, 13, and 22 incorporate the language of claims 3, 12, and 21 and add additional novel elements. Therefore, dependent claims 4, 13, and 22 are not taught or suggested by the Duperrouzel patent for at least the same reasons as were discussed with respect to claims 3, 12, and 21.

Claims 5, 14, and 23 are directed to caching previously downloaded pages in the order in which they were downloaded from the network. A user input command to display a subsequent page cached after the first and second pages were downloaded is received. Automatically

concurrently the subsequent page is displayed in the second pane and the second page in the first pane according to predefined settings in response to the user input command to display the previously displayed page. That is, the second page is initially displayed in the second pane (claims 1, 10, and 19). When the user input command to display a subsequent page is received, the second page is displayed in the first pane (instead of the second pane), and the subsequent page is displayed in the second pane. The Duperrouzel patent displays a page in a pane selected by a user (e.g., if the user selected the second pane, the subsequent page would be displayed in the second pane selected by a user), but there is no teaching of displaying the second page that was in the second pane in the first pane when the command to display a subsequent page is received. Also, the independent controls for each display pane of the Duperrouzel patent teach away from Applicant's predefined settings specifying how pages are to be displayed *in the first and second panes*.

Accordingly, it is respectfully submitted that the rejection of claims 3-5, 12-14, and 21-23 as obvious over the Duperrouzel patent should be reversed.

3. Claims 6-8, 15-17, and 24-26 are not Obvious over the Duperrouzel Patent.

Claims 6, 15, and 24 are directed to receiving user selection of a hypertext link within one of the displayed pages. The page addressed by the hypertext link is accessed. Automatically concurrently the page currently displayed in the second pane is displayed in the first pane and the page addressed by the hypertext link is displayed in the second pane if the user selected the hypertext link from the second pane. Automatically concurrently the page currently displayed in the first pane is displayed in the first pane and the page addressed by the hypertext link is

displayed in the second pane if the user selected the hypertext link from the first pane.

The Examiner cites Col. 3, lines 30-44 and Col. 11, lines 9-37 as teaching this subject matter. Applicant respectfully traverses. With the Duperrouzel patent, when a user selects a URL for a display pane, the URL is displayed in that display pane, and there is no teaching in the Duperrouzel patent of shifting the previously displayed page into another pane. Also, because the Duperrouzel patent describes that the URL is displayed in the display pane selected by the user, the Duperrouzel patent teaches away from, if the user selects the hypertext link from the first pane, displaying the page addressed by the hypertext link in the second pane. Thus, claims 6, 15, and 24 are not taught or suggested by the Duperrouzel patent.

Claims 7, 16, and 25 are directed to the first pane being displayed adjacent and to the left of the second pane. Dependent claims 7, 16, and 25 incorporate the language of claims 6, 15, and 24 and add additional novel elements. Therefore, dependent claims 7, 16, and 25 are not taught or suggested by the Duperrouzel patent for at least the same reasons as were discussed with respect to claims 6, 15, and 24.

Claims 8, 17, and 26 are directed to receiving user selection of a hypertext link within one of the displayed pages in one of the panes. The page addressed by the hypertext link is accessed. Automatically concurrently the page addressed by the hypertext link is displayed in the pane opposite the pane displaying the page from which the hypertext link was selected. The Examiner cites Col. 3, lines 31-44 and Col. 6, lines 5-22 as teaching this subject matter. Applicant respectfully traverses. With the Duperrouzel patent, a user would, for example, have to drag and drop the hypertext link from one display pane to another display pane to have the page addressed by the hypertext link to be displayed in the pane opposite the pane displaying the hypertext link.

This teaches away from selection of the hypertext link within one of the displayed pages in one of the panes automatically leading to display of the page addressed by the hypertext link in the opposite pane. Thus, claims 8, 17, and 26 are not taught or suggested by the Duperrouzel patent.

Moreover, dependent claims 6-8, 15-17, and 24-26 incorporate the language of claims 1, 10, and 19 and add additional novel elements. Therefore, dependent claims 6-8, 15-17, and 24-26 are not taught or suggested by the Duperrouzel patent for at least the same reasons as were discussed with respect to claims 1, 10, and 19.

Accordingly, it is respectfully submitted that the rejection of claims 6-8, 15-17, and 24-26 as obvious over the Duperrouzel patent should be reversed.

4. Claims 9, 18, and 27 are not Obvious over the Duperrouzel Patent.

Claims 9, 18, and 27 are directed to the viewer program being capable of displaying the downloaded pages in the first and second panes according to the predefined settings when the pages downloaded from over the network do not include any page commands to cause the display of pages in separate panes within the application window. The Examiner cites Col. 5, lines 1-7, Col. 7, lines 13-25, and FIG. 5 as teaching this subject matter. Applicant respectfully traverses. The cited portion of the Duperrouzel patent describes that each display pane provides controls for a particular web page being displayed within the display pane and describes a sizing control. There is no mention in the Duperrouzel patent of what processing occurs when pages downloaded from over the network do not include any page commands to cause the display of pages in separate panes within the application window.

Moreover, dependent claims 9, 18, and 27 incorporate the language of claims 1, 10, and

19 and add additional novel elements. Therefore, dependent claims 9, 18, and 27 are not taught or suggested by the Duperrouzel patent for at least the same reasons as were discussed with respect to claims 1, 10, and 19.

Accordingly, it is respectfully submitted that the rejection of claims 9, 18, and 27 as obvious over the Duperrouzel patent should be reversed.

VIII. Conclusion

Each of the rejections set forth in the final Office Action is improper and should be reversed.

Respectfully submitted,

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IX. Claims Appendix

The claims on appeal are as follows:

1. (Original) A method for displaying pages in a viewer program on a computer display monitor, wherein the viewer program displays an application window, comprising:

downloading a first and second pages from one of multiple servers over a network;

automatically concurrently displaying the first page in a first window pane and the second page in a second window pane in the application window according to predefined settings specifying how pages are to be displayed in the first and second panes;

downloading a third page from one of multiple servers over the network;

automatically concurrently displaying the third page in one of the first and second panes and one of the first and second pages in the other pane according to the predefined settings;

downloading a fourth page from one of multiple servers over the network; and

automatically concurrently displaying the third and fourth pages in the first and second panes according to the predefined settings.

2. (Original) The method of claim 1, wherein the first pane is displayed adjacent and to the left of the second pane, wherein automatically concurrently displaying the third page and one of the first and second pages comprises concurrently displaying the second page in the first pane and the third page in the second pane.

3. (Original) The method of claim 1, further comprising:

caching previously downloaded pages in the order in which they were downloaded from

the network;

receiving a user input command to display a previously displayed page; and

automatically concurrently displaying the previously displayed page in the first pane and the first page in the second pane according to the predefined settings in response to the user input command to display the previously displayed page.

4. (Original) The method of claim 3, wherein the first pane is displayed adjacent and to the left of the second pane.

5. (Original) The method of claim 1, further comprising:

caching previously downloaded pages in the order in which they were downloaded from the network;

receiving a user input command to display a subsequent page cached after the first and second pages were downloaded; and

automatically concurrently displaying the subsequent page in the second pane and the second page in the first pane according to predefined settings in response to the user input command to display the previously displayed page.

6. (Original) The method of claim 1, further comprising:

receiving user selection of a hypertext link within one of the displayed pages;

accessing the page addressed by the hypertext link;

automatically concurrently displaying the page currently displayed in the second pane in the first pane and displaying the page addressed by the hypertext link in the second pane if the

user selected the hypertext link from the second pane; and

automatically concurrently displaying the page currently displayed in the first pane in the first pane and displaying the page addressed by the hypertext link in the second pane if the user selected the hypertext link from the first pane.

7. (Original) The method of claim 6, wherein the first pane is displayed adjacent and to the left of the second pane.

8. (Original) The method of claim 1, further comprising:

receiving user selection of a hypertext link within one of the displayed pages in one of the panes;

accessing the page addressed by the hypertext link; and

automatically concurrently displaying the page addressed by the hypertext link in the pane opposite the pane displaying the page from which the hypertext link was selected the page from which the link was selected in its current pane.

9. (Original) The method of claim 1, wherein the viewer program is capable of displaying the downloaded pages in the first and second panes according to the predefined settings when the pages downloaded from over the network do not include any page commands to cause the display of pages in separate panes within the application window.

10. (Original) A system for displaying pages in a viewer program on a computer display monitor, wherein the viewer program displays an application window, comprising:

means for downloading a first and second pages from one of multiple servers over a network;

means for automatically concurrently displaying the first page in a first window pane and the second page in a second window pane in the application window according to predefined settings specifying how pages are to be displayed in the first and second panes;

means for downloading a third page from one of multiple servers over the network;

means for automatically concurrently displaying the third page in one of the first and second panes and one of the first and second pages in the other pane according to the predefined settings;

means for downloading a fourth page from one of multiple servers over the network; and

means for automatically concurrently displaying the third and fourth pages in the first and second panes according to the predefined settings.

11. (Original) The system of claim 10, wherein the first pane is displayed adjacent and to the left of the second pane, wherein the means for automatically concurrently displaying the third page and one of the first and second pages concurrently displays the second page in the first pane and the third page in the second pane.

12. (Original) The system of claim 10, further comprising:

means for caching previously downloaded pages in the order in which they were downloaded from the network;

means for receiving a user input command to display a previously displayed page; and

means for automatically concurrently displaying the previously displayed page in the first

pane and the first page in the second pane according to the predefined settings in response to the user input command to display the previously displayed page.

13. (Original) The system of claim 12, wherein the first pane is displayed adjacent and to the left of the second pane.

14. (Original) The system of claim 10, further comprising:

means for caching previously downloaded pages in the order in which they were downloaded from the network;

means for receiving a user input command to display a subsequent page cached after the first and second pages were downloaded; and

means for automatically concurrently displaying the subsequent page in the second pane and the second page in the first pane according to predefined settings in response to the user input command to display the previously displayed page.

15. (Original) The system of claim 10, further comprising:

means for receiving user selection of a hypertext link within one of the displayed pages;

means for accessing the page addressed by the hypertext link;

means for automatically concurrently displaying the page currently displayed in the second pane in the first pane and displaying the page addressed by the hypertext link in the second pane if the user selected the hypertext link from the second pane; and

means for automatically concurrently displaying the page currently displayed in the first pane in the first pane and displaying the page addressed by the hypertext link in the second pane

if the user selected the hypertext link from the first pane.

16. (Original) The system of claim 15, wherein the first pane is displayed adjacent and to the left of the second pane.

17. (Original) The system of claim 10, further comprising:

means for receiving user selection of a hypertext link within one of the displayed pages in one of the panes;

means for accessing the page addressed by the hypertext link; and

means for automatically concurrently displaying the page addressed by the hypertext link in the pane opposite the pane displaying the page from which the hypertext link was selected the page from which the link was selected in its current pane.

18. (Original) The system of claim 10, wherein the means for displaying the downloaded pages in the first and second panes according to the predefined settings is capable of displaying the pages in the first and second panes when the pages downloaded from over the network do not include any page commands to cause the display of pages in separate panes within the application window.

19. (Original) An article of manufacture for use in displaying electronic pages in a viewer program application window on a computer display monitor, wherein the article of manufacture comprises at least one computer program that is capable of causing a computer to perform:

downloading a first and second pages from one of multiple servers over a network;

automatically concurrently displaying the first page in a first window pane and the second page in a second window pane in the application window according to predefined settings specifying how pages are to be displayed in the first and second panes;

downloading a third page from one of multiple servers over the network;

automatically concurrently displaying the third page in one of the first and second panes and one of the first and second pages in the other pane according to the predefined settings;

downloading a fourth page from one of multiple servers over the network; and

automatically concurrently displaying the third and fourth pages in the first and second panes according to the predefined settings.

20. (Original) The article of manufacture of claim 19, wherein the first pane is displayed adjacent and to the left of the second pane, wherein automatically concurrently displaying the third page and one of the first and second pages comprises concurrently displaying the second page in the first pane and the third page in the second pane.

21. (Original) The article of manufacture of claim 19, further comprising:

caching previously downloaded pages in the order in which they were downloaded from the network;

receiving a user input command to display a previously displayed page; and

automatically concurrently displaying the previously displayed page in the first pane and the first page in the second pane according to the predefined settings in response to the user input command to display the previously displayed page.

22. (Original) The article of manufacture of claim 21, wherein the first pane is displayed adjacent and to the left of the second pane.

23. (Original) The article of manufacture of claim 19, further comprising:

caching previously downloaded pages in the order in which they were downloaded from the network;

receiving a user input command to display a subsequent page cached after the first and second pages were downloaded; and

automatically concurrently displaying the subsequent page in the second pane and the second page in the first pane according to predefined settings in response to the user input command to display the previously displayed page.

24. (Original) The article of manufacture of claim 19, further comprising:

receiving user selection of a hypertext link within one of the displayed pages;

accessing the page addressed by the hypertext link;

automatically concurrently displaying the page currently displayed in the second pane in the first pane and displaying the page addressed by the hypertext link in the second pane if the user selected the hypertext link from the second pane; and

automatically concurrently displaying the page currently displayed in the first pane in the first pane and displaying the page addressed by the hypertext link in the second pane if the user selected the hypertext link from the first pane.

25. (Original) The article of manufacture of claim 24, wherein the first pane is

displayed adjacent and to the left of the second pane.

26. (Original) The article of manufacture of claim 19, further comprising:

receiving user selection of a hypertext link within one of the displayed pages in one of the panes;

accessing the page addressed by the hypertext link; and

automatically concurrently displaying the page addressed by the hypertext link in the pane opposite the pane displaying the page from which the hypertext link was selected the page from which the link was selected in its current pane.

27. (Original) The article of manufacture of claim 19, wherein the viewer program is capable of displaying the downloaded pages in the first and second panes according to the predefined settings when the pages downloaded from over the network do not include any page commands to cause the display of pages in separate panes within the application window.

X. Evidence Appendix

There is no evidence submitted pursuant to 37 C.F.R. Sections 1.130, 1.131, or 1.132 or any other evidence entered by the examiner and relied upon by appellant.

XI. Related Proceedings Appendix

An Appeal Brief was filed for Application Serial No. 09/522,201 on September 19, 2004. A new Office Action was mailed on April 20, 2005, which reopened prosecution.

There are no decisions rendered by a court or the Board in any proceeding identified pursuant to 37 C.F.R. 41.37 (c)(1)(ii).